Filing of frivolous Public Interest Litigations

818. SHRI B.K. HARIPRASAD: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether the Supreme Court in a series of judgements had deprecated the growing tendency on the part of busy bodies to file public interest petitions in courts for the sake of publicity;

(b) whether Justice M. Jagannadha Rao Commission has also termed such tendencies as frivolous and vexatious, adding to the already bulging workload of the courts and has sought enactment of a law to prevent filing of such suits; and

(c) whether such a proposed bar would apply to writ petitions filed in High Courts under Article 226 of the Constitution?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) to (c) The information is being collected from the Supreme Court and the same will be laid on the Table of the House.

Amendments in People's Representation Act

†819. SHRI KRIPAL PARMAR: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that every Government have been striving hard for the last 20 years to keep the people with criminal backgrounds out of politics, but this could not be done due to some provisions of the People's Representation Act;

(b) if so, whether Government would consider to bring necessary amendments in those sections of the People's Representation Act;

(c) if so, the details thereof and by when such amendments are likely to be made; and

(d) if not, the reasons therefor?

THE MINISTER OF LAW AND JUSTICE (SHRI H. R. BHARDWAJ): (a) to (d) The Law Commission of India in its 170th Report on "Reform of the Electoral Laws", has, *inter alia,* considered the aspect of criminalisation

† Original notice of the question was received in Hindi.

of politics and recommended certain amendments to the Representation of the People Act, 1951. The Commission recommended insertion of a new section 8B in the Act for providing that a person against whom charge has been framed under certain provisions of laws such as sections 153A and 171E to 171-I of the Indian Penal Code and sections 10 to 12 of the Unlawful Activities (Prevention) Act, 1967 shall be disqualified for a period of five years from the date of framing of such charge. In this connection, the Election Commission of India had convened a meeting of recognized National and State political parties on 29.04.2000 to discuss the proposal in the all-party meeting held on 13.09.2001 but again no consensus could be arrived at. Further, in the all-party meeting held on 02.08.2002, a draft Bill was circulated providing for disqualification of persons against whom charges concerning heinous offences have been framed by competent court of law in two separate criminal proceedings. The said proposal had to be giving up on account of absence of consensus among political parties as it was apprehended that such a provision could be misused against the political parties.

The Government attaches high importance and serious concern in the matter. However, any action in this regard would depend upon the outcome of the public debate and consensus amongst the political parties. The Department-related Parliamentary Standing Committee on Personnel, Public Grievances, Law and Justice is also currently examining all aspects of electoral reforms.

The Anand Marriage Act, 1909

820. SHRI TARLOCHAN SINGH: Will the Minister of LAW AND JUSTICE be pleased to state:

(a) whether it is a fact that the Anand Marriage Act for the Sikhs was enacted by Government in 1909;

(b) whether the Act is still in operation as it has never been repealed; and

(c) if so, whether Sikh marriages could still be registered under this Act?

THE MINISTER OF STATE IN THE MINISTRY OF LAW AND JUSTICE (SHRI K. VENKATAPATHY): (a) to (c) Yes, Sir. Anand Marriage